



LFW

Attorney Docket No. 2-5169-053

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: William A. Hood

Serial No. 10/719,460

Filed: November 21, 2003

Examiner: Meredith P. Petravick

For: NETWRAP FEED AND CUT MECHANISM

Group Art: 3671

RESPONSE TO REQUEST FOR INFORMATION

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

The following numbered responses are in direct response to respective corresponding numbered requests in the REQUIREMENT FOR INFORMATION Office Action mailed December 21, 2005.

1. This is in response to the request for information under 37 CFR 1.105. Assignee's U. S. Patent Numbers 5,129,208 to Van Zee and 4,910,949 to Meyer were of record in this application before Applicants filed the "Letter Disclosing Prior Art". When it became apparent that the Examination was focusing to some extent on the member 204 of Myers, 6,006,504, one of the employees of Assignee, Vermeer Manufacturing stated that the structure in U. S. Patent Number 5,129,208 to Van Zee was built and sold by Vermeer with the arcuate wedge member 35 shown in U.S. Patent No. 4,910,949 to Meyer. This was because the member 204 of Myers is similar in some respects to the arcuate wedge member 35 of Meyer.

So a search of Vermeer records was made to see if there was a document that could be found that showed this combination of Van Zee and Meyer. Since no documents were found that showed clearly this combination, Applicant filed the Letter Disclosing Prior Art on August 26, 2005. That seemed to be the clearest way to disclose the prior art to the USPTO at the time. So even if this prior art could not be cited in an IDS, it would give the USPTO the opportunity to use this statement in the Letter Disclosing Prior Art as prior art due to the fact that it was admitted to be prior art.

BEST AVAILABLE COPY

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to :
Commissioner of Patents and Trademarks,
Washington, D.C. 20231, on 02-21-06

[Signature] M. Petravick

2.-1. The assignee, Vermeer Mfg., was aware that "sold balers" were sold because assignee sold them.

2.-2. The exact of the first sale is a bit fuzzy, but it was some time in 1990 likely it would have been around June. Attached is a copy of Vermeer's price sheet (**Exhibit A**) dated 11/01/90 that shows the net wrap option available for sale with the J baler which at that time came standard with the arcuate wedge like that shown in Meyer '949. Also attached is a copy of an Operators Manual for the net wrap on a J baler dated July 1990 (**Exhibit B**).

2.-3 604J-005 with 604J-043 and 605J-005 with 605J-043

2.-5 At that time, there were a number of locations Missouri, Nebraska, Texas. Attached is documentation (**Exhibit C**) that has the names of the dealers and date of invoice for the early units.

2.-6 Yes, but the earliest documentation found is in late 1993, on the 605K baler.

2.-7 Yes, but nothing that shows them in the same assembly, that is why the disclosure made in the "Letter Disclosing Prior Art" is believed to be the best disclosure possible under the circumstances.

2.-9 The differences in the old and new net wraps are substantial and will be best described using pictures. See **Exhibit D** showing the Vermeer Model 605J sold in 1990 and **Exhibit E** to the Vermeer Model 605M, which is not prior art but is covered by the claims of the instant invention. As can be seen in the contrast between **Exhibits D and E**, the net wrap attachment is a completely different system. The combination of the new net wrap system and the arcuate edge shown in Model 605M **Exhibit E** allows the net to go over the edge.

2.-10 As can be seen on the old system shown in **Exhibit D, Model 605J**, there were multiple rollers and cross members in the area where the net enters. These rollers were replaced in the new **Model 605M, Exhibit E**, by no cross member in the area and the spring steel fingers that are flexible and do not create a catch point for material

2.-11 There are multiple differences between the **Model 605J** and **Model 605M** balers, not the least of which is how the position of the bale is controlled in the new baler **Model 605M**. This also contributes to the net spread.

Respectfully submitted,

WILLIAM A. HOOD

Feb. 21, 2006
Date

By:

Michael O. Sturm

Michael O. Sturm

Reg. No. 26,078

STURM & FIX LLP
206 Sixth Avenue, Suite 1213
Des Moines, Iowa 50309-4076
Phone: 515-288-9589
Fax: 515-288-4860